

REMARKS/ARGUMENTS

In the final Office Action dated December 8, 2005, claims 1-3 and 11-15 were rejected, claims 12 and 16-19 were objected to, and claims 4-10 were allowed. Applicant has thoroughly reviewed the outstanding Office Action, including the Examiner's remarks and the references cited therein. The above claim amendments and following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

Claims 1-19 are pending in the present application. Claim 1 has been amended to more particularly point out and distinctly claim embodiments of the present invention. Support for the subject matter added to claim 1 may be found throughout the specification and figures of the present application, particularly in FIG. 4 thereof. Claim 7 has been amended to change the claim upon which it depends to another previously allowed claim, thereby broadening the scope of claim 7 while maintaining the allowability thereof. No new matter has been added.

Applicant thanks the Examiner for conducting a personal interview with Applicant's representative, Hermes Soye, on February 16, 2006. Applicant also thanks the Examiner for acknowledging that claims 4-10 are allowed and that claims 16-19 contain allowable subject matter.

Objection to Claim 12 for Allegedly Improperly Removing a Limitation Previously Set Forth:

Claim 12 has been objected to for allegedly improperly removing a limitation previously set forth. More specifically, it is alleged in the Office Action that claim 12 removes the cable

and cable tube recited in claim 11 as a limitation of the present invention. This objection is respectfully traversed.

Claim 12, which depends upon claim 11, recites that, “the bore is sized to reciprocatingly receive a piston so that the cable and cable tube can be replaced by the piston and a piston rod connected thereto for a hydraulic steering system” (emphasis added). Claim 11, on the other hand, recites, “a bore extending therethrough, end fittings engaging opposite ends of the bore in the second bracket, the end fittings each having an opening, a cable tube extending through the openings, a cable being reciprocatingly received within the tube, the cable being operatively connected to the propulsion unit for steering the craft.” In other words, claim 12 does not recite actually replacing the “cable and cable tube” recited in claim 11. Rather, claim 12 recites sizing the bore so as to allow for such a replacement. As such, Applicant respectfully submits that claim 12 does not remove any previously set forth limitations and is therefore not improper.

At least in view of the above remarks, reconsideration and withdrawal of the objection to claim 12 for allegedly improperly removing a limitation previously set forth is respectfully requested.

Rejection of Claims 11-15 Under 35 U.S.C. § 102(b):

Claims 11-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,774,568 to Borst et al. (Borst ‘568). This rejection is respectfully traversed.

As illustrated in FIG. 1 thereof, Borst ‘568 discloses a tilt pin 21 having threaded end portions 53 and 57. As also illustrated in FIG. 1 and as recited in column 4, lines 1-6 thereof, Borst ‘568 also discloses nuts 63 and 65 that are threadedly received on the end portions 53 and 57 of the tilt pin 21 so as to fix the tilt pin 21 relative to the attachment means 17. As such, and

as illustrated in FIG. 1, Borst '568 discloses that the nuts 63 and 65 are positioned at locations other than the ends of the tilt pin 21.

Claims 11-15 of the present application, in direct contrast, each recite, "end fittings engaging opposite ends of the bore in the second bracket." As such, even assuming, *arguendo*, that the nuts 63 and 65 disclosed in Borst '568 are analogous to the "fittings" recited in claims 11-15, Applicant points out that the "fittings" recited in claims 11-15 are "end fittings," whereas the nuts 63 and 65 disclosed in Borst '568 are not positioned at the ends of the tilt pin 21, nor are they meant to be. Rather, as disclosed in Borst '568, the nuts 63 and 65 disclosed therein are designed to fix the tilt pin 21 to the attachment means 17. As such, each of the nuts 63 and 65 allow for at least some of the end portions 53 and 57 of the tilt pin 21 to extend completely therethrough and to extend out of both ends thereof, as illustrated in FIG. 1.

In addition, Applicant points out that claims 11-15 each recite, "a first bracket connectable to the stern of the marine craft; and a second bracket...being rotatably connected to the first bracket for relative rotation about an axis of rotation, whereby the propulsion unit can be rotated about the axis of rotation relative to the stern of the craft." In direct contrast, Borst '568, at best, discloses only a swivel bracket 19 connected to the boat hull attachment means 17 by a tilt pin in such manner as to afford vertical swinging movement of the swivel bracket 19 relative to the attachment means." (Column 3, lines 22-25). In other words, in addition to the other above-discussed shortcomings, Borst '568 also fails to disclose or suggest the above-mentioned "first bracket" and "second bracket" recited in claims 11-15 of the present application.

At least in view of the above remarks, reconsideration and withdrawal of the rejection of claims 11-15 as being anticipated by Borst '568 is respectfully requested.

Rejection of Claims 1-3 Under 35 U.S.C. § 102(e):

Claims 1-3 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,276,977 to Treinen et al. (Treinen '977). This rejection is respectfully traversed.

As illustrated in FIG. 4 thereof, Treinen '977 discloses a piston 206 that allows a rod 274 to extend completely therethrough. As such, Applicant points out that Treinen '977 fails to disclose or suggest at least, "a piston being reciprocatingly received within the bore, a cross-section of the piston being substantially solid and circular," as recited claims 1-3 of the present application.

Applicant points out that the "substantially solid circular" cross-section of the piston recited in claims 1-3 of the present application prevents a rod such as, for example, the rod 274 disclosed in Treinen '977 from extending through the "piston" recited in claims 1-3 of the present application. At least for this reason, Treinen '977 fails to anticipate the subject matter recited in claims 1-3.

At least in view of the above claim amendment and remarks, reconsideration and withdrawal of the rejection of claims 1-3 as being anticipated by Treinen '977 is respectfully requested.

Objection to Claims 16-19 as Being Dependent Upon a Rejected Base Claim:

Claims 16-19 were objected to as being dependent upon a rejected base claim. Claims 16-19 all depend indirectly upon claim 11, which has been shown above to recite allowable subject matter. As such, claims 16-19 inherit all of the patentable distinctions recited in claim 11. Therefore, Applicant respectfully submits that claims 16-19 are dependent upon claim 11 at least for the reasons discussed above in connection with claim 11.

Application No. 10/693,689
Docket No.: 59763.21501
Customer No.: 30734

CONCLUSION

At least in view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If it is believed that the application is not in condition for allowance, the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

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